

## REMARKS

Claims 1-11, 18-20 and 22 are pending in the applications.

Claims 1, 2, 4-11, 18-20 and 22 stand rejected.

Claims 1 and 22 have been amended to incorporate the limitations of claim 2.

5 claim 2 has been cancelled without prejudice.

A Brief Description of the Drawings has been added to the Disclosure.

It is believed no new matter is added by any amendments.

## Specification

10 The disclosure is objected to because a Brief Description of the Drawings is missing. Applicant did include a Brief Description of the Drawings in the preliminary amendment to the PCT application when entering the US national Phase, and the Brief Description of the Drawings is included at the top of page 4 of the Substitute Specification submitted with the US National phase application.  
15 Since the preliminary amendment and/or Substitute Specification was apparently not entered, Applicant is again including the same Brief Description of the Drawings for inclusion in the present Application.

## Claim Objection

20 Claim 22 is objected to under 37 CFR §1.75(c) as being of improper dependent form for failing to further limit the subject matter of the previous claim. The scope of the block copolymer of claim 22 is broader than that of Claim 1. Claim 22 has been amended to further limit the scope of claim 1.

## 25 35 U.S.C. §112

Claims 1, 2, 4-11, 18-20 and 22 stand rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically;

1) In claim 1, "n" is not defined. Applicant has amended claims 1 and 22 to  
30 include the citation "having n, greater than or equal to 1, carbon atoms to which are attached the B blocks via one of the valences of these carbon atoms, with core I", supported by original disclosure on page 4, lines 14 to 16 of the English translation of the PCT application. Applicant believes

this amendment, plus general knowledge in the art of "n" groups associated with a polyfunctional "Z" makes the claim clear and definite.

- 2) In claim 7, "preferably" causes confusion. Claim 7 has been amended to remove "preferably".

5

Allowance of claim 2.

Applicant notes that in point 12 of the present Final rejection, the Examiner has indicated that Claim 2, would be allowable if rewritten to overcome the rejections under 35 U.S.C. §112. Applicants have amended claims 1 and 22 to include all the  
10 limitations of claim 2, and claim 1 has also been amended to overcome the 35 U.S.C. §112 rejections. Applicant believes this amendment meets the conditions set forth by the Examiner for allowance of the claims.

35 U.S.C. §102

15 Nesvadba

Claims 1, 4-8, 10, 18-20 and 22 stand rejected under 35 U.S.C. §102(b) as being anticipated by Nesvadba (US 6,262,206). The Nesvadba reference fails to teach all of Applicant's claim elements, and therefore fails to present a *prima facie*  
20 *case* of anticipation. Specifically, the Nesvadba reference fails to teach a block copolymer as an adhesive that must have at least one hydrophilic monomer – preferably an acid monomer or salt thereof. The requirement of the hydrophilic (acid) monomer is key to the invention, as stated on page 5, lines 14-18 of the Disclosure: "The presence of the monomers which are acids and/or salts of acids is  
25 essential for improving certain properties, in particular for improving the adhesion, of the adhesive compositions of the invention but also for increasing the Tg of the blocks comprising such monomers and thus increasing the difference in the solubility coefficients between the various blocks of the block copolymer."

30 The Nesvadba reference describes a polymerization process for making controlled-architecture block polymers, using a nitroxide initiator. Applicant also makes use of a nitroxide initiator in producing the claimed block copolymer for use in an adhesive composition. The Nesvadba reference mentions the use of the block polymers as adhesives (Col. 12, lines 22 – 34), but fails to describe the  
35 requirement of acid monomer units as part of one or more of the polymer blocks.

Nesvadba does mention alternating polar and non-polar blocks for use as surfactants or dispersants (Col. 12, lines 35-38), but not as adhesives.

5 The Nesvadba reference lists almost all possible ethylenically unsaturated monomers as monomers usable in his claimed compositions, but there is no recognition of a requirement for acid monomers in at least one block to produce an improved adhesive. Since the use of polar (acid) monomers as part of an acrylic block copolymer in an adhesive was not recognized by the Nesvadba reference as result effective, the acid block composition could not be optimized by routine experiment to lead to Applicant's claims (MPEP 2144.05). There is no teaching,  
10 or suggestion in the Nesvadba reference of the specific, limited adhesive compositions of Applicant's claims.

Applicant has now amended the claims to limit the organic polyfunctional radical at the core of the claimed block copolymer.

15 35 U.S.C. §103

Nesvadba

Claims 9 and 11 stand rejected under 35 U.S.C. §102(b) as anticipated by, or in the alternative under 35 U.S.C. §103(a) as obvious over Nesvadba.

20 As described above, the Nesvadba reference fails to teach or suggest Applicant's amended claim elements and limitations of an adhesive composition having a block copolymer with polar (acid) functionality.

Applicant has now amended the claims to limit the organic polyfunctional radical at the core of the claimed block copolymer.

25

In view of the above, the Applicant believes that the reasons for rejection have been overcome, and the claims herein should be allowable to the Applicant. Accordingly, reconsideration and allowance are requested.

30 Respectfully submitted,



Thomas F. Roland, Esq.  
Attorney for the Applicants

35 Reg. No. 42,110

Date: October 6, 2009

Arkema Inc. Customer Number 31684